SLS 10RS-127 ENGROSSED

Regular Session, 2010

SENATE BILL NO. 39

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BY SENATOR MCPHERSON AND REPRESENTATIVE ST. GERMAIN

TRANSPORTATION/DEV DEPT. Changes the requirement for holding public hearings on the highway priority program from the DOTD to the Joint Highway Priority Construction Committee. (8/15/10)

AN ACT

2 To amend and reenact R.S. 48:231(A), relative to the state highway system and the final highway construction program; to provide with respect to the duties of the Joint 3 Highway Priority Construction Committee; and to provide for related matters. 4 5 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 48:231(A) is hereby amended and reenacted to read as follows: 6 7 §231. Final construction program for current fiscal year; public hearings; Joint 8 Highway Priority Construction Committee; reports; review by 9 legislature; restrictions on legislature A. Prior to the convening of each regular session of the legislature, the 10 11 department shall provide a proposed program of construction for the coming fiscal year to the Joint Highway Priority Construction Committee, which shall 12 13 hold public hearings in each highway district for the purpose of reviewing priorities 14 for the coming fiscal year. A report based on the testimony received at said hearings shall be sent to the Joint Highway Priority Construction Committee department. 15 The department then shall create the final construction program for the coming fiscal 16 year for submission to the legislature. When this final construction program is 17

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communicated to the legislature for funding for the coming fiscal year, any project which the legislature determines is not in the proper order of priority in accordance with the factors stated in R.S. 48:229 may be deleted by the legislature. However, the legislature shall not add any projects to this final construction program, nor shall the legislature make substitutions for projects which have been removed.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

McPherson (SB 39)

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<u>Present law</u> provides that prior to the convening of each regular session of the legislature, the department shall hold public hearings in each highway district for the purpose of reviewing highway priorities. <u>Present law</u> provides that a report based on the testimony received at said hearings will be sent to the Joint Highway Priority Construction Committee. <u>Present law</u> then requires the department to create the final construction program for the coming fiscal year for submission to the legislature.

<u>Proposed law</u> retains <u>present law</u> and adds a requirement for the department to provide a proposed program of construction to the Joint Highway Priority Construction Committee, but requires the Joint Highway Priority Construction Committee to hold public hearings in each highway district for the purpose of reviewing priorities for the coming fiscal year and to submit a report based on the testimony received at said hearings to the department.

Effective on August 15, 2010.

(Amends R.S. 48:231(A))